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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 8, 1996

Stanley T. Albright
Regional Director
Western Regional Office
National Park Service
600 Harrison St., Suite 600
San Francisco, CA 94107-1375

Dear Mr. Albright:

The Environmental Protection Agency (EPA) has reviewed the **Draft General Management Plan & Environmental Impact Statement** (DEIS) for the **Manzanar National Historic Site**, Inyo County, California. We are submitting the following comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations implementing NEPA (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

In proposing the management plan, the National Park Service (NPS) examined three alternatives, including a "no action". The alternatives address management policies for natural, historic, and cultural resources, and plans for visitor use facilities, and interpretive sites. All alternatives, except the "no action," would entail upgrades of the road/trail systems and construction of additional interpretive sites and visitor structures. The preferred alternative describes a program of preservation of the natural resources and expanded visitor uses.

We are seriously concerned with several aspects of the DEIS. Namely that there is no discussion in the DEIS regarding the associated air impacts in keeping with the Clean Air Act and General Conformity regulations and that the NPS has not performed a survey of the wetlands areas nor have they completely addressed erosion impacts and potential stormwater runoff from the proposed development in keeping with the requirements of the National Pollution Discharge Elimination System. While the impacts associated with these issues may prove to be substantively insignificant, they should nevertheless be addressed and evaluated in the document.

We believe that more detailed information should be included in the Final EIS, such as guidelines and procedures regarding; erosion control, waste water treatment, air quality, threatened and endangered species, road/trail management, land use inside and outside the Monument, and the related specific mitigation measures. This information could then be utilized as a baseline

reference for subsequent NEPA documents. Having this framework in the Final EIS will help other planning agencies, such as the county, tribal council, and the interested public understand the basis for later NEPA documents and will help identify what should be addressed in any future cooperative agreements between agencies. Our review comments,which are attached, discuss these concerns in greater detail.

We have assigned a rating of EC-2 (Environmental Concerns -- Insufficient Information; see attached rating sheet) to the DEIS. To ensure that the public and agencies have adequate time to fully review the additional information which should be provided in the Final EIS, we recommend that the NPS establish a 60 day review period for the Final EIS.

We appreciate the opportunity to review your DEIS. Please send two copies of the Final EIS to this office when the document is officially submitted to EPA Headquarters. If you have any questions, please call me at 415-744-1584, or contact David J. Carlson at 415-744-1577.

Yours truly,

David Farrel, Chief
Office of Federal Activities

Attachments (2)

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SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

General NEPA comments

The DEIS does not mention whether or not specific design and management issues which are not covered in this document will be addressed in future detailed plans and studies. A programmatic-level EIS, such as a General Management Plan, should provide a framework for more detailed plans and studies including mitigation measures to minimize the impacts from the implementation of the various parts of the project. We are very concerned by statements in the DEIS that no wetlands survey has been performed, nor has there been a hazardous waste survey. We are also very concerned that the DEIS indicates that additional environmental compliance would be required to complete and implement this plan without providing further information on the type of environmental compliance that may ne necessary. The DEIS is significantly lacking in it's level of detail to allow the readers and the decision maker to adequately determine the environmental impacts from the implementation of the proposed alternative.

The DEIS does not contain an informative discussion of the current conditions of the park and the surrounding area. The FEIS should discuss in much greater detail the current conditions at the site, the direct and indirect impacts resulting from the implementation of the project and the measures that will be employed to mitigate those impacts. The NPS should refer to the CEQ regulations implementing NEPA, 40 CFR 1500-1508, specifically sections 1502.14, 1502.16, and 1508.20, regarding environmental consequences and mitigation.

We suggest that the FEIS discuss any foreseeable changes (in existing site design and location plans), which could either affect the priorities identified in the DEIS or introduce significant new resource management issues. The FEIS should explain how the NPS will monitor impacts from these projects to ensure consistent management techniques are applied throughout the site.

The FEIS should identify spatially or temporally related projects and should address cumulative and indirect impacts, including all potential impacts that may be out of the control of the NPS (40 C.F.R. 1508.7 and 1508.8).

Carrying capacity

The DEIS indicates that the Historic Site's carrying capacity has not been determined. We recommend that the NPS

attempt to collect data on the physical carrying capacity of the site and provide that information in the FEIS. The data should be summarized in a table indicating the carrying capacity of particular areas compared to the actual and projected numbers of persons visiting those areas. This information will provide a snapshot of the current conditions of the Monument and the areas that are experiencing overutilization and enable the decision maker to determine if the proposed alternative is sufficient to support the expected visitation to the area. It will also give the public and other agencies a better understanding of the rationale for improvements to certain areas.

Air Quality

The FEIS should be written so that the project's relevance to air quality issues is clear. The description of the project alternatives should include sufficient detail to allow an identification of potential air quality impacts. This discussion should allow the reader of the EIS to distinguish between project-related impacts and impacts due to nonproject background conditions.

The FEIS should discuss any existing air pollution problems in the area, especially problems that may worsen as a result of the proposed project. To provide this understanding, the section should identify the air basin in which the project lies, and the climate, topography, and meteorological conditions as they affect basin air quality. The FEIS should acknowledge that the project is located in a nonattainment area for PM10. The FEIS should describe the area's criteria pollutant attainment/nonattainment status and the severity of any nonattainment problems. The number and frequency of monitored criteria pollutant violations during the most recent 5 years of record should be presented for air quality monitors located near the proposed project site.

Health and welfare effects of criteria pollutants should be summarized (especially for nonattainment area pollutants and pollutants likely to be emitted in substantial quantities by the project). Nearby sensitive areas meriting special protection also should be identified (Class I wilderness areas and national parks). Finally, sensitive receptors in the project vicinity (e.g., residences, nursing homes, schools, hospitals, and daycare facilities) should be identified.

The FEIS, affected environment section should contain emission inventories for stationary, area, and mobile criteria pollutant sources. The FEIS should summarize the existing air

quality regulatory environment and the status of air quality planning, including the status of existing and proposed air quality plans. Air quality rules and regulations affecting the project should be summarized along with the roles and responsibilities of each regulatory agency.

The FEIS should include the evaluation criteria that will be used to identify what constitutes a significant air quality impact. The criteria should also specify when dispersion modeling should be conducted. These criteria should be based on ambient air quality standards, existing rules and regulations, and/or other well-reasoned criteria. The methodology for performing the air quality analysis must identify the years to be included in the analysis and the models and assumptions used to evaluate whether the project would have a significant air quality impact. If the project is subject to EPA's general conformity rule, then an analysis must be conducted for each of the years specified by the conformity rule (40 CFR 93 Subpart B).

If the project is located close to areas meriting special protection, such as national parks or wilderness areas, the methodology should identify how pollutant impacts on those areas will be evaluated.

The FEIS should include estimates of all project-related criteria pollutant emissions, including both construction and operational emissions. If the project has the potential to emit hazardous air pollutants, estimates of those pollutants should also be included. Emissions should be estimated using the latest emission factors available. If the project is subject to EPA's general conformity rule, then procedures outlined in 40 CFR 93.159 of that rule should be used to estimate emissions. Planning assumptions used to estimate air pollutant impacts should be derived from the most recent estimates of population, employment, travel, and congestion.

In addition to evaluating the direct impacts of traffic flows on the proposed project or project alternatives, the impact assessment should evaluate any redistribution of traffic flows that would result from the project. In particular, the assessment should evaluate the impacts on sensitive receptors resulting from increases in traffic flows on roads in the vicinity of the project.

CO Modeling

To estimate motor vehicle criteria pollutant emissions, the most current version of the motor vehicle emissions model specified by EPA and available for use in the preparation or revision of the state implementation plan (SIP) must be used in the conformity analysis as described in 40 CFR 93.159(b)(1). These emission estimates should be based on and consistent with the traffic study assumptions and results for the project. We recommend that the NPS continue their coordination with CALTRANS on the US 395 improvements.

Ambient carbon monoxide (CO) concentrations from mobile sources should be estimated if the project is shown to cause or contribute to significant traffic congestion in the project vicinity. CO modeling is required if existing intersections affected by the project are operating at a level of service (LOS) of D, E, or F or if intersection LOS would be degraded to D, E, or F because of the project. The CO modeling analysis should focus on congested intersections and those intersections that are expected to be most adversely affected by the proposed project and the project alternatives. As part of this analysis the entrance to Manzanar from US 395 should be examined as well as parking lots.

The air quality modeling analyses of CO concentrations should be based on EPA's Guideline for Modeling Carbon Monoxide from Roadway Intersections. All assumptions used to conduct the modeling should be described, and any deviations from EPA's modeling guidance should be identified, along with the reasons for those deviations.

PM10 Modeling

Estimates of ambient inhalable particulate (PM10) concentrations attributable to mobile sources will not be required until EPA releases modeling guidance on this subject. The project applicant should be aware that PM10 modeling may be required and should contact either Scott Bohning at (415)744-1293, or David Carlson at (415)744-1577 from EPA for the PM10 modeling guidance release date.

Stationary and Area Source Emission Estimates

To estimate non-motor-vehicle emissions (which include both stationary and area sources), the latest emission factors specified in EPA's Compilation of Air Pollutant Emission Factors (AP-42) should be used unless more accurate emission factors are

available (such as actual stack test data from stationary sources). Emission estimates should be based on a realistic estimate of worst-case operating conditions.

If criteria pollutant emissions from stationary and/or area sources exceed the significance thresholds established for the project, then dispersion modeling should be conducted. Air quality modeling of stationary and/or area source criteria pollutant emissions should be based on the applicable air quality models, databases, and other requirements specified in the most recent version of the Guideline on Air Quality Models (Revised) of 1986, including supplements (EPA pub. no. 450/2-78-027R).

Cumulative Impacts

The EIS should address cumulative air quality impacts, including direct and indirect emissions associated with the project plus emissions associated with other future development. Future scenarios should be carefully specified using the most recent estimates of population, employment, travel, and congestion approved by the relevant Planning Agency. An analysis of the cumulative impacts from the project and improvements to US 395 would be appropriate.

GENERAL CONFORMITY

EPA has developed conformity rules to implement Section 176(c) of the Clean Air Act Amendments of 1990 (CAAA). These rules are to ensure that federal actions conform to the appropriate SIP. The general conformity rules establish the criteria and procedures governing the determination of conformity for all federal actions, except federal highway and transit actions (40 CFR 93 Subpart B - Determining Conformity of General Federal Actions to State or Federal Implementation Plans).

Pursuant to the requirements of Section 176(c) of the Clean Air Act, 42 USC Section 7506(c), federal agencies are prohibited from engaging in or supporting in any way an action or activity that does not conform to an applicable SIP. Conformity to an implementation plan means conformity to an implementation plan's purpose of eliminating or reducing the severity and number of violations of the national ambient air quality standards and achieving expeditious attainment of such standards.

EPA has promulgated general conformity regulations at 58 *Federal Register* 63214 (November 30, 1993) implementing Section 176(c) for actions in nonattainment and maintenance areas, to be codified at 40 CFR Section 93.150 et seq. Among other things,

these regulations establish de minimis levels for actions requiring conformity determinations (Section 93.153 (b)), exempt certain actions from conformity determinations (Section 93.153(c)(2)), establish reporting and public participation requirements (Sections 93.155 and 93.156), and create criteria and procedures that federal agencies must follow for actions required to have conformity determinations (Section 93.158). The applicability of these regulations should be discussed in the EIS.

The NPS must show that the proposed project meets or is exempt from the general conformity requirements. If the applicant believes that its project is exempt from the general conformity requirements, then the applicant must explain the reasons for that exemption. If the project is subject to the general conformity requirements, the applicant should discuss the criteria that show the project will conform and identify the agency(s) responsible for making the conformity determination.

The EIS must identify all relevant, reasonable measures needed to mitigate air quality impacts. The probability of implementing each measure must be adequately discussed. If the mitigation measures are needed to demonstrate SIP conformity, then the process for implementation and enforcement of such measures must be described, including an implementation schedule containing explicit timelines for implementation. Written commitments must be obtained from the appropriate persons or agencies to implement any mitigation measures that are identified as conditions for making the conformity determinations.

WATER RESOURCES

Other than to indicate that the Bair Creek are may be classified as a wetland, the DEIS does not provide a sufficiently detailed discussion of wetlands. The DEIS does not state the level of direct or indirect impacts to wetlands. The FEIS should address the impacts that Historic Site developments may have on the Bair Creek wetland area in greater detail. It would be prudent to discuss the current wetland management techniques that are used, and to incorporate any appropriate management techniques into the FEIS. If you have specific questions concerning wetlands, please contact Mr. Jeff Rosenbloom, Chief, Wetlands and Sediment Management section at (415) 744-1962.

Also, the Bair Creek area identified in the DEIS could be subject to serious erosion impacts due to the construction and maintenance of the road/trail system proposed for the area. We are concerned the NPS does not offer an erosion control plan to

be implemented within the site. We recommend that the NPS place a preliminary erosion control plan in the Final EIS as the reference for future environmental documents. We are including, as attachment A, an outline of erosion control management practices for guidance on methods that can be used to minimize erosion from trail, road, and building construction projects.

The DEIS does not clearly indicate if a water conservation program will be implemented in the Historic Site. We recommend that the NPS outline this water conservation program and commit to its implementation in the FEIS. The DEIS states that the NPS will pump 10 million gallons of water for the park needs. However, there is no further discussion regarding the proposed agreement between LADWP and the NPS for the supply of water. The FEIS should discuss the impacts to the aquifer, and/or any springs or adjacent riparian areas from these activities. We also recommend that the NPS briefly discuss the terms of the water supply agreement with the LADWP, as appropriate.

We are concerned that the DEIS suggests that the existing sewage treatment system would be expanded as required without offering any further details as to what expansion would occur or what options would be employed. We recommend that the FEIS discuss this in more detail.

National Pollution Discharge Elimination System (NPDES)

The document does not indicate the extent of erosion impacts due to development and land disturbances at the Monument. The activities described in the DEIS could trigger the NPDES permitting requirements.

We could not ascertain the extent of surface land disturbance from our review of the document. According to the requirements in 40 CFR section 122.26 (b)(14)(x), if the cumulative amount of disturbed land from the proposed actions within any of the alternatives will be greater than five acres, then all of the actions would be subject to the General NPDES permit for Discharge of Storm water runoff associated with construction activities, California permit #CAS000002. If the NPS determines a permit will be necessary, the NPS should contact the State Water Resources Control Board (SWRCB) at 901 "P" Street, P.O. Box 100, Sacramento, CA, to obtain a copy of the permit and the Notice of Intent (NOI). The NPS must complete and file the NOI and must develop and implement a Storm water pollution prevention plan containing Best Management Practices prior to commencing any construction.

If the proposed actions will impact less than five acres the local Regional Water Quality Control Board may still require that the actions be subject to the General NPDES permit. In this situation, we recommend that the NPS consult with the local Regional Water Quality Control Board.

The NPS should identify, in the FEIS, the amount of land that will be disturbed by the development activities proposed in all of the alternatives and discuss the applicability of 40 CFR 122.26 (b)(14)(x) and the California General Permit # CAS000002. The FEIS should also describe the process the NPS intends to use in order to adhere to the NPDES permitting requirements, if they are applicable.

Threatened and Endangered Species

EPA encourages the NPS's continued coordination with the Fish and Wildlife Service in identifying threatened and endangered species, in accord with the Endangered Species Act (ESA). The document is vague in its discussion of the ecological areas within the historic site. We feel it would have been helpful to discuss the vegetation and wildlife topics separately and discuss the wildlife environment and conditions in more detail. We recommend that the FEIS discuss techniques for mitigating the development and revegetation impacts on endangered species and their habitat. The document did not indicate whether the NPS was going to engage in the formal ESA Section 7, consultation process. We recommend that the FEIS discuss where the NPS and FWS are in the process.

Environmental Justice

In keeping with Executive Order 12898, **Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations** (EO 12898), the FEIS should describe the measures taken by the NPS to fully analyze the environmental effects of the proposed Federal action on minority communities and low income populations. The intent and requirements of EO 12898 are clearly illustrated in the President's February 11, 1994, Memorandum for the Heads of all Departments and Agencies, attached. The FEIS should identify any Environmental Justice issues that may arise due to the implementation of any of the alternatives.

Attachment A

Erosion

1. Schedule projects so clearing and grading is done during times of minimum erosion potential.
2. Mark and clear off only areas essential for construction.
3. Avoid disturbing vegetation on steep slopes or other critical areas such as highly erodible soils and areas that drain directly into sensitive water bodies.
4. Route construction to avoid existing and newly planted vegetation.
5. Protect natural vegetation with fencing, tree armoring.
6. Cover or stabilize topsoil stockpiles.
7. Use wind erosion controls to act as wind barriers such as solid board fences, snow fences and bales of hay.
8. Seed and mulch disturbed areas.

Siting Roadways and Bridges

1. Consider the type and location of permanent erosion and sediment controls such as vegetative buffer strips, grass swales, energy dissipators and velocity controls.
2. Avoid marshes, bogs and other low-lying lands subject to flooding.
3. Avoid locations requiring excessive cut and fill.
4. Avoid locations subject to subsidence, land slides, rock outcroppings and highly erodible soils.
5. Size right-of-ways to include space for siting runoff pollution control structures, as appropriate.
6. Avoid locations requiring numerous river crossings.
7. Direct pollutant loadings away from bridge decks by diverting runoff waters to land for treatment.